

CW-1 --and I just wanted to make sure-- and nobody's gotten a phone call from anybody. And I [inaudible] that admissions will call you regarding [your daughter], you know, getting in through the side door and n-- and not showing up for practice. I doubt that will happen 'cause it hasn't happened to anybody else.

ADBELAZIZ Okay.

CW-1 But they may ask you, is she okay, whatever. So I think that Donna told them that she had plantar fasciitis--

ADBELAZIZ Okay.

CW-1 --and, and so-- which is typical for lots of athletes.

ADBELAZIZ Yes.

CW-1 So I just wanted you to know in case they call, you, you know--

ADBELAZIZ That we-- would they ask her, [CW-1]?

CW-1 No, they won't ask [your daughter]-- It would go-- it would go to the parent.

ADBELAZIZ Okay.

CW-1 So I just-- but I have no idea if they're gonna call or not. I just wanted to give you a heads up they asked about it, and Donna replied--

ADBELAZIZ Okay.

CW-1 -- and I wanted you to know what her reply was.

ADBELAZIZ That's fine. I will answer the same, should they call me.

J. MOSSIMO GIANNULLI and LORI LOUGHLIN

194. Defendants MOSSIMO GIANNULLI and LORI LOUGHLIN (collectively, "the GIANNULLIS"), a married couple, are residents of Los Angeles, California. GIANNULLI is a fashion designer. LOUGHLIN is an actress.

195. As set forth below, the GIANNULLIS agreed to a pay bribes totaling \$500,000 in exchange for having their two daughters designated as recruits to the USC crew team—despite the fact that they did not participate in crew—thereby facilitating their admission to USC.

196. On or about April 22, 2016, GIANNULLI, copying LOUGHLIN, sent an e-mail to CW-1, noting:

We just met with [our older daughter's] college counselor this am. I'd like to maybe sit with you after your session with the girls as I have some concerns and want to fully understand the game plan and make sure we have a roadmap for success as it relates to [our daughter] and getting her into a school other than ASU!

197. CW-1 responded, "If you want [U]SC I have the game plan ready to go into motion. Call me to discuss."

198. In an e-mail on or about July 24, 2016, CW-1 advised GIANNULLI that his older daughter's academic qualifications were at or just below the "low end" of USC's admission standards. Thereafter, the GIANNULLIS agreed with CW-1 to use bribes to facilitate her admission to USC as a recruited crew coxswain, even though she did not row competitively or otherwise participate in crew.

199. On or about September 7, 2016, GIANNULLI sent CW-1 an e-mail attaching a photograph of his older daughter on an ergometer.

200. Heinel presented the GIANNULLIS' daughter to the USC subcommittee for athletic admissions as a purported crew recruit on October 27, 2016. At the meeting, the subcommittee approved her conditional admission to the university.

201. Two days later, on or about October 29, 2016, CW-1 e-mailed GIANNULLI, "Please send \$50K payment to the person below[:] Donna Heinel, Senior Women[']s Associate Athletic Director[,] c/o of USC Athletics[.]"

202. On or about November 1, 2016, GIANNULLI replied, “I told biz mgr to Fed Ex today.” GIANNULLI also asked CW-1 whether it was permissible to discuss his daughter’s admission with the then-USC Athletic Director, with whom he was acquainted. GIANNULLI wrote: “BTW, headed to Augusta in 2 weeks with [the USC Athletic Director]. I was planning on saying nothing? Agree or okay to mention anything?” CW-1 replied: “Best to keep [the USC Athletic Director] out of it. When I met with him a year ago about [your daughter] he felt you were good for a million plus.” GIANNULLI responded, “HAH!!”

203. On or about November 28, 2016, CW-1 sent GIANNULLI confirmation that his daughter had been provisionally admitted to USC based upon “records [that] indicate that you have the potential to make a significant contribution to the intercollegiate athletic program . . . .” CW-1 wrote: “FYI attached is the letter you can hold on to. As long as [your daughter] doe[s] what she is doing all is good.”

204. On or about March 23, 2017, USC mailed the GIANNULLIS’ daughter her formal acceptance letter. One week later, Masera sent the GIANNULLIS an invoice from KWF for \$200,000, and wrote, “Thank you for your pledge to The Key Worldwide Foundation. Your pledge is now due . . . . Our receipt letter will go out to you upon full payment.” GIANNULLI responded, “Again thanks for all. We are currently on holiday in the Bahamas but will gladly handle this when home next week.”

205. On or about April 10, 2017, GIANNULLI wired \$200,000 to KWF. The following day, an employee of CW-1 sent the GIANNULLIS a receipt from KWF falsely indicating that “no goods or services were exchanged” for the purported donation.

206. On or about April 10, 2017, GIANNULLI copied LOUGHLIN on an e-mail to CW-1 bearing the subject line, “Trojan happiness.” He wrote: “I wanted to thank you again for

your great work with [our older daughter], she is very excited and both Lori and I are very appreciative of your efforts and end result!” CW-1 replied, “With [your younger daughter] please let me know if there is a similar need anywhere so we do not lose a spot.” GIANNULLI responded, “Yes [our younger daughter] as well,” and LOUGHLIN added, “Yes USC for [our younger daughter]!” CW-1 replied, “So work to acquire [U]SC? As soon as the semester is over I will need a transcript and test scores.”

207. On or about July 14, 2017, CW-1 e-mailed Janke directing her to prepare a crew profile for the GIANNULLIS’ younger daughter. Janke responded: “Ok sounds good. Please send me the pertinent information and I will get started.”

208. On or about July 16, 2017, CW-1 e-mailed the GIANNULLIS requesting information for the crew profile. CW-1 indicated that the profile would present their younger daughter, falsely, as a crew coxswain for the L.A. Marina Club team, and requested that the GIANNULLIS send an “Action Picture.” Four days later, CW-1 sent the GIANNULLIS a second request, noting, “If we want USC I will need a transcript, test scores and picture on the ERG.” LOUGHLIN, copying GIANNULLI, replied later that day, “Moss will get this done. We are back in town on Monday.”

209. On or about July 28, 2017, GIANNULLI, copying LOUGHLIN, e-mailed CW-1 a photograph of their younger daughter on an ergometer.

210. Heinel presented the GIANNULLIS’ younger daughter to the USC subcommittee for athletic admissions on or about November 2, 2017. At the meeting, the subcommittee approved her conditional admission to the university.

211. Less than two weeks later, on or about November 16, 2017, CW-1 sent the GIANNULLIS an e-mail bearing the subject line, “CONGRATULATIONS!!!” with their

younger daughter's conditional acceptance letter attached. LOUGHLIN responded, "This is wonderful news! [High-Five Emoji]." CW-1 replied: "Please continue to keep hush hush till March." LOUGHLIN responded: "Yes of course."

212. Approximately two weeks later, on or about November 29, 2017, CW-1 directed the GIANNULLIS to "send a 50K check to USC and the address is below. Additionally the rest of the 200k will be paid to our foundation a 501 3C [sic] after [your younger daughter] receives his [sic] final letter in March." GIANNULLI, copying LOUGHLIN, responded, "Will get this handled this week." The next day, GIANNULLI directed his business manager to send a \$50,000 check to Heinel.

213. CW-1 has advised investigators that, in or about late 2017, a guidance counselor from the high school attended by GIANNULLIS' daughters inquired of the younger daughter about her sister's athletic recruitment to USC. According to CW-1, the counselor did not believe that either of the GIANNULLIS' daughters participated in crew, and was concerned that their applications may have contained misleading information.

214. On or about December 12, 2017, LOUGHLIN e-mailed CW-1, copying GIANNULLI and their younger daughter, to request guidance on how to complete the formal USC application, in the wake of her daughter's provisional acceptance as a recruited athlete. LOUGHLIN wrote: "[Our younger daughter] has not submitted all her colleges [sic] apps and is confused on how to do so. I want to make sure she gets those in as I don't want to call any attention to [her] with our little friend at [her high school]. Can you tell us how to proceed?" CW-1 responded by directing an employee to submit the applications on behalf of the GIANNULLIS' younger daughter.

215. On or about February 6, 2018, GIANNULLI wired \$200,000 to one of the KWF charitable accounts. On or about February 7, 2018, an employee of CW-1 sent the GIANNULLIS a receipt from KWF falsely indicating that “no goods or services were exchanged” for the purported donation.

216. On or about March 23, 2018, USC mailed the GIANNULLIS’ younger daughter her formal acceptance letter.

217. Shortly thereafter, on or about April 12, 2018, the high school counselor e-mailed GIANNULLI memorializing an encounter between the two men earlier that day:

I wanted to provide you with an update on the status of [your younger daughter’s] admission offer to USC. First and foremost, they have no intention of rescinding [her] admission and were surprised to hear that was even a concern for you and your family. You can verify that with [the USC senior assistant director of admissions] . . . if you would like. I also shared with [the USC senior assistant director of admission] that you had visited this morning and affirmed for me that [your younger daughter] is truly a coxswain.

218. The same day, Heinel left CW-1 the following voicemail message:

I just want to make sure that, you know, I don’t want the -- the parents getting angry and creating any type of disturbance at the school. I just want to make sure those students . . . if questioned at the school that they respond in a[n] appropriate way that they are, walk-on candidates for their respective sports. They’re looking forward to trying out for the team and making the team when they get here. OK? That’s what I just want to make sure of. [Inaudible.] So I just don’t want anybody going into . . . [the GIANNULLIS’ daughter’ high school], you know, yelling at counselors. That’ll shut everything -- that’ll shut everything down.

219. In a call with GIANNULLI on or about October 25, 2018, CW-1, acting at the direction of law enforcement agents, told GIANNULLI that the IRS was auditing KWF. The following is an excerpt from the call, which was consensually recorded:

CW-1 I’m calling ’cause I just want to make sure you’re-- give you a heads-up that-- so my foundation is being audited--

GIANNULLI Okay.

CW-1 --which, as you know, is normal.

GIANNULLI            Yeah.

CW-1                 And so they're looking at all the payments. So they-- they asked me about your 2 payments of 200,000.

GIANNULLI           Uh--

CW-1                 And, of course, I'm not gonna say anything about your payments going to Donna Heinel at USC to get the girls into USC, through crew. So--

GIANNULLI           Sure.

CW-1                 --that's for sure.

GIANNULLI           Right.

CW-1                 But what's funny-- It's funny. Because Donna called me couple weeks ago and says, "Hey, uh," you know, "going forward, can you use the same format you used for [the GIANNULLIS' older daughter] and [their younger daughter], and the regattas that you put in there, for any girls, going forward, that don't row crew?" So it's funny how-- I thought I was just makin' stuff up.

GIANNULLI           Uh, right. Uh--

CW-1                 But-- but they loved it, love--

GIANNULLI           Uh, right. Perfect.

CW-1                 So I just want to make sure our stories are the same, because--

GIANNULLI           Yeah.

CW-1                 --and th-- and that your \$400K was paid to our foundation to help underserved kids.

GIANNULLI:           Uh, perfect.

CW-1                 Okay? So I just want to make sure that we're on the same page, in case--

GIANNULLI           Uh--

CW-1                 Who knows if they'll call or they don't?

GIANNULLI            Perfect. Got it.

220.     Likewise, in a call on or about November 29, 2018, CW-1, acting at the direction of law enforcement agents, told LOUGHLIN that the audit of KWF was focused on payments related to students who had been admitted to USC, including her daughters. The following is an excerpt from the call, which was consensually recorded.

CW-1                The IRS audits foun-- large foundations and we have so much money in our foundation and we give away so much money they're-- they want to-- you know, they're always worried about things going on in foundations.

LOUGHLIN           I see.

CW-1                So what I-- what I wa-- I told Moss already and I wanted to make sure that you knew, as well, if they happened to call you, is that nothing has been said about the girls, your donations helping the girls get into USC to do--

LOUGHLIN           Okay.

CW-1                --crew even though they didn't do crew. So nothing like that has been ever mentioned.

LOUGHLIN           [inaudible]

CW-1                If you ever-- ever were to say anything.

LOUGHLIN           So we-- so we just-- so we just have to say we made a donation to your foundation and that's it, end of story.

CW-1                That is correct.

LOUGHLIN           Okay.

CW-1                Terrific.

LOUGHLIN           Okay.

CW-1                I just wanted to make sure I touched base because I didn't want you--

LOUGHLIN            Yeah.

CW-1                --to all of a sudden what-- like what's this call coming from.

LOUGHLIN            Okay, yeah. Okay. Totally. All right. So-- so that's it. So it's-- it's the IRS. It's not anyone from USC, it's the IRS.

CW-1                That is correct.

LOUGHLIN            Okay. Very good.

K. AGUSTIN HUNEEUS, Jr.

221. Defendant AGUSTIN HUNEEUS, Jr. is a resident of San Fransico, California. HUNEEUS is an owner of vineyards in Napa, California and elsewhere.

222. In or about 2017 and 2018, HUNEEUS participated in both the college entrance exam cheating scheme and the college recruitment scheme for his daughter, including by conspiring to bribe Heinel and Jovan Vavic, the USC water polo coach,<sup>18</sup> to facilitate his daughter's admission to USC as a purported water polo recruit.

223. CW-1 has advised law enforcement agents that, in exchange for HUNEEUS's purported contribution of \$50,000 to KWF, CW-1 arranged for CW-2 to purport to proctor the SAT exam for HUNEEUS's daughter at the West Hollywood Test Center in or about March 2018. According to CW-1, he explained to HUNEEUS that he "controlled" the test center, and that CW-2 would correct his daughter's answers after she completed the exam.

224. In an e-mail to HUNEEUS and a psychologist selected by CW-1 on or about May 25, 2017, CW-1 noted that HUNEEUS's daughter "needs testing for 100 percent time with multiple days" and directed HUNEEUS and the psychologist to "[p]lease connect."

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<sup>18</sup> Vavic has been indicted by a federal grand jury in the District of Massachusetts on a charge of racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d).